



**COURT OF APPEALS
SECOND DISTRICT OF TEXAS
FORT WORTH**

NO. 02-13-00353-CV

UNITED FOOD AND COMMERCIAL
WORKERS INTERNATIONAL
UNION, ORGANIZATION UNITED
FOR RESPECT AT WALMART,
NORTH TEXAS JOBS WITH
JUSTICE, LESTER EUGENE
LANTZ, AND DOES 1-10

APPELLANTS

V.

WAL-MART STORES, INC., WAL-
MART REAL ESTATE BUSINESS
TRUST, WAL-MART REALTY
COMPANY, WAL-MART STORES
TEXAS, LLC, WAL-MART STORES
EAST, LP, AND SAM'S EAST, INC.

APPELLEES

FROM THE 352ND DISTRICT COURT OF TARRANT COUNTY

ORDER

This court has considered the motion for temporary orders pursuant to Texas Rule of Appellate Procedure 29.3 filed by Appellees Wal-Mart Stores, Inc., Wal-Mart Real Estate Business Trust, Wal-Mart Realty Company, Wal-Mart Stores Texas, LLC, Wal-Mart Stores East, LP, and Sam's East, Inc. (collectively, Walmart). The court is of the opinion that a temporary order is necessary to preserve the parties' rights until disposition of this interlocutory appeal or until further order of this court. See Tex. R. App. P. 29.3.

Accordingly, it is the order of this court that pending the disposition of this interlocutory appeal or further order of this court, Appellants United Food and Commercial Workers International Union, Organization United for Respect at Walmart, North Texas Jobs with Justice, Lester Eugene ("Gene") Lantz (collectively, Appellants) their parents, subsidiaries and affiliates, their non-Walmart employee officers, employees, and agents, and all other non-Walmart employees who act in concert with Appellants, directly or indirectly, are ordered to refrain from:

1. Trespassing on Walmart's private property at any store or facility in the State of Texas that is owned or controlled by Wal-Mart Stores, Inc., Wal-Mart Real Estate Business Trust, Wal-Mart Realty Company, Wal-Mart Stores Texas, LLC, Wal-Mart Stores East, LP, Sam's East, Inc., or any of their subsidiaries, affiliates or operating entities to engage in activities such as unlawful picketing, patrolling, parading, demonstrations, "flash mobs," handbilling, solicitation, customer disruptions, and manager confrontations;
2. Entering on Walmart's private property at any store or facility in the State of Texas that is owned or controlled by Wal-Mart Stores, Inc., Wal-Mart Real Estate Business Trust, Wal-Mart Realty Company,

Wal-Mart Stores Texas, LLC, Wal-Mart Stores East, LP, Sam's East, Inc., or any of their subsidiaries, affiliates, or operating entities for any purpose other than shopping for and/or purchasing merchandise at Walmart stores; and

3. Barricading, blocking, or preventing access to or egress from Walmart's private property at any store or facility in the State of Texas that is owned, operated, or controlled by Wal-Mart Stores, Inc., Wal-Mart Real Estate Business Trust, Wal-Mart Realty Company, Wal-Mart Stores Texas, LLC, Wal-Mart Stores East, LP, Sam's East, Inc., or any of their subsidiaries, affiliates, or operating entities.

No additional bond is required as a condition to the issuance of this temporary order; the \$10,000 cash in lieu of bond that was deemed sufficient by the trial court in granting the temporary restraining order is to remain on deposit with the trial court as appropriate security for this temporary order until disposition of this interlocutory appeal or until further order of this court. See Tex. R. App. P. 29.3.

This court is of the opinion that Appellees' request for additional affirmative relief requiring Appellants to post this court's temporary order on Appellants' websites and social media outlets should be and hereby is denied.

The clerk of this court is directed to transmit a copy of this order to the attorneys of record and the trial court judge.

DATED October 22, 2013.

PER CURIAM

PANEL: LIVINGSTON, C.J.; GARDNER and WALKER, JJ.